

No. 134.—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by the Government, at public expense, for a public Purpose, namely, for the construction of Uchana to Litani Road in Jind District, it is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may within thirty days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Haryana, P.W.D., B. & R. Branch, Ambala Cantt.

#### SPECIFICATION

District	Tehsil	Locality	Area in Acres	Remarks
Jind	Narwana	Uchana Kalan	7.60	65 66 18, 21, 21, 22, 23, 24, 25/1, 25/2
				68 21, 22, 23, 24, 25/1 25/2
				69 21, 22/1, 22/2, 23, 24, 25
				70 21/1, 21/2, 22, 23, 24, 25
				71 21, 22, 23, 24, 25
				72 21, 22, 23, 24, 25
				73 21, 22, 23, 24, 25
				74 22, 23, 24, 25
				76 2, 3, 4, 5
				77 1, 2, 3, 4, 5
				78 1, 2, 3, 4, 5
				79 1, 2, 3, 4, 5

District	Tehsil	Locality	Area in Acres	Remarks
			80	
			1, 2, 3, 4, 5	
			81	
			1, 2, 3, 4, 5	
			82	
			1, 2, 3, 4, 5/1, 5/2	
			83	
			1, 2, 3, 4, 5/1	
			217	
			1, 2, 3	
			218	
			2, 3, 4	
			252, 401, 402, 406, 407, 408, 410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 429, 430, 436, 437, 438, 443, 448, 449, 456, 457, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 702, 704, 705, 706, 707, 708, 725, 726, 727, 728, 745, 773, 774	
Jind	Narwana	Uchana Khurd	10.54	120
				21/1, 21/2, 22
				121
				10, 11, 12/1, 12/2, 13, 14, 16, 17/1, 17/2, 18/2, 25
				122
				6, 7, 8, 9, 10, 11, 12, 13, 14, 15
				123
				6, 7, 8, 9, 10, 11, 12, 13, 14, 15
				124
				6, 7/1, 7/2, 8, 9, 10/1, 10/2, 11/1, 11/2, 12/1, 12/2, 13/1, 13/2, 14, 15/1, 15/2
				125
				15/1, 15/2, 16, 24
				143 148
				4, 24 2/1
				153
				4/1, 4/6, 4/10, 4/11, 4/12, 4/13, 4/17, 4/18, 4/19, 7/1, 7/2, 7/5, 7/10, 7/11, 7/12, 7/13, 7/17, 7/18, 7/19, 13, 14/1, 18, 19, 21, 22
				156
				6, 13, 14/1, 14/2, 14/3, 15, 16, 17, 18, 19/1, 19/2, 20, 21, 22, 23, 24, 25
				157
				24, 25/1, 25/2

District	Tehsil	Locality	Area in Acres	Remarks
			164	
			24, 25/1, 25/2	,
			165	
			6, 13, 14/1, 14/2, 15, 17, 18, 19, 20, 21, 22	
			166	
			2, 3, 4/1, 4/2, 5/1, 8, 9, 10, 11	,
			168	
			5/1, 5/2, 5/3, 5/4, 5/5	,
			169	
			4/1, 4/2, 4/10, 4/11, 4/12, 4/13, 4/14, 4/19, 5/1, 5/2, 5/12, 5/13, 5/14, 5/15, 5/25, 5/26, 5/27, 5/28, 170/1	,
			184	
			2, 3, 4/1, 4/2, 4/3, 5, 8, 9, 10/1, 10/2	,
			185	
			6, 11/1, 11/2, 12/1, 12/2, 13/1, 13/2, 15	,
			186	
			15, 16, 253, 254, 257, 258, 261/1, 262, 268, 498, 501, 502, 507, 508, 511, 512, 515, 518, 519, 522, 525, 526, 529, 532, 533, 536, 540, 543, 546, 547, 551, 552, 558, 539, 559, 565, 572, 573, 581, 589, 590, 599, 605, 606, 611, 617, 618, 619, 620, 622, 623, 624, 628, 629, 630, 635, 639, 650, 651/2, 656, 667, 668, 669, 670, 671, 680, 685, 686, 693, 696, 697, 698, 699, 700, 705, 711, 712, 715, 717, 718, 719, 720.	,
Jind	Narwana	Kakrod	5.13	96
				11/1, 11/2, 12/1, 12/2, 13/1, 13/2, 14, 15, 16, 17
				97
				11, 12, 13/1, 13/2, 14/1, 14/2, 15/1, 15/2, 19/1 19/2, 19/3, 20
				98
				11, 12, 13, 14, 15, 16
				99
				12, 13
				100
				21/1, 21/2, 22, 23

District	Tehsil	Locality	Area in Acres	Remarks
				101
				20, 21, 22/1, 22/2, 22/3, 23/1, 23/2, 24/1, 24/2, 25/1, 25/2
				102
				16, 17, 18, 19, 20, 21/1, 21/2, 22, 23, 24, 25
				103
				11, 16, 17/1, 17/2, 18/1, 18/2, 19/1, 19/2, 20, 25
				104
				11, 12, 13, 14/1, 14/2, 15, 16, 17, 18/1, 18/2, 19, 20
				105
				10, 11, 12/1, 12/2, 13/1, 13/2, 13/3, 14/1, 14/2, 15/1, 15/2
				106
				6, 7, 8, 9/1, 9/2, 10, 11, 12, 13, 14, 15
				107
				1, 2, 6/2, 6/2, 7/1, 7/2, 7/3, 8/1, 8/2, 9, 10
				108
				1, 2, 3, 4, 5, 6, 7, 8, 9, 10
				118
				5
				119
				1/1, 250
				419
				1, 424, 425, 430, 508, 512, 513, 533, 534, 535, 992, 993, 994, 995, 996, 997, 998, 999, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019/1, 1019/2, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1291, 1292, 1303, 1304, 1305, 1306, 1323.
Jind	Narwana	Nachara Khera	4.53	30
				21, 22, 23, 24
				31
				14, 15, 16
				32
				4, 10, 11, 12, 13/1, 13/2, 14, 16/1, 16/2, 17, 18
				33
				19, 20, 21, 22, 23/1, 23/2, 24, 25
				35
				1/1, 1/2.
				36
				4/1, 4/2, 5/1, 5/2
				39
				1/1, 1/2, 2, 3, 4, 5/1, 5/2

District	Tehsil	Locality	Area in acres	Remarks
			38	
			1/1, 1/2, 2/17, 2/18, 2/19	,
			40	
			5, 6, 7, 8, 13/1, 13/2, 14, 18, 82, 87, 93, 94, 200, 201, 203, 205, 206, 207, 208, 209, 210, 211, 212	,
Jind	Narwana	Darond Khera	0.56	42 19/1, 19/2, 20, 21/1, 21/2, 23, 43/25
			44	
			4, 5/1, 5/2, 45/1	,
Jind	Narwana	Durjan Pur	9.98	48 5, 6, 1, 8, 9, 10, 12, 13/1, 13/2, 14, 16, 17, 25
			50	
			21/1, 21/2, 22	,
			64	
			11, 12, 18, 19/1, 19/2, 20, 23/1, 23/2, 24, 25	,
			65	
			2, 3, 4, 5, 7/1, 7/2, 8, 15	,
			75	
			5/1, 5/2, 6	,
			76	
			1, 8, 9, 10, 12, 13/1, 13/2/2, 14, 16, 17, 25	
			77	
			20, 21/1, 21/2, 22, 23, 24, 25	,
			78	
			21/1, 21/2, 22, 23, 24, 25	,
			79	
			21, 22/1, 22/2, 23, 24, 25	,
			80	
			21, 22, 23/1, 23/2, 24, 25	,
			81	
			4, 6, 7, 8, 12, 13/2, 14, 18, 19/1, 19/2, 20, 21/1, 21/2, 22	,
			84	85
			1, 2, 3, 4, 5/1	,
			86	
			1, 2, 3/1, 3/2, 4, 5	,

District	Tehsil	Locality	Area in acres	Remarks
			87	
			<u>1/1, 1/2, 2, 3, 4/1, 5/1</u>	
			88	
			<u>1, 2, 3, 4, 5.</u>	
	Total		38.34	

(Sd.) . . . ,

Superintending Engineer,  
Haryana P.W.D. B&R Branch,  
Jind.

The 26th May, 1975

No. M-42/LA-VI/T-39/2502.—Whereas the Governor of Haryana is satisfied that land specified below is needed by the Government at public expense, for a public purpose, namely, Constructing Gignow-Brahlu Road (R. D. 7300 to R. D. 19000). It is hereby declared that the land described in the specification below is required for the aforesaid purpose.

This declaration is made under the provisions of section 6 of Land Acquisition Act, 1894 to all whom it may concern and under the provisions of Section 7 of the said Act, the Land Acquisition Collector, Haryana P. W. D., B & R Branch, Ambala Cantt or any other Special Collector authorised by the Colonisation Officer-cum-Special Land Acquisition Collector, Haryana is hereby directed to take orders for the acquisition of the said land.

Plans of the land may be inspected in the offices of the Land Acquisition Collector, Haryana, P. W. D., B & R Branch, Ambala Cantt and the Executive Engineer, Construction Division, Tosham.

## SPECIFICATION

District	Tehsil	Locality	Area in Acres	Details of Khasra Nos.
Bhiwani	Loharu	Brahlu	8.49	58
				220, 212, 11/29, 11/10, 58/9, 8, 7, 6, 5, 4, 3, 2, 1, 11, 12, 13, 14, 18, 19/1, 19/2, 20, 21, 22, 23, 24, 333, 80/1, 2, 3/1, 3/2, 4, 5, 6, 7, 8, 9, 12, 13, 14/1, 14/2, 15, 16, 17, 18, 23, 24, 25/1, 25/2, 81/21, 22, 23, 24, 25, 88/1, 2, 3, 4, 5, 82/21, 22, 23, 24, 25, 83/21, 22, 23, 24, 25, 86/1, 2, 3, 4, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 23, 24, 25, 112/4, 5/1, 5/2, 6, 85/20, 19, 21, 22, 113/1, 2, 3, 9, 11/1, 11/2, 12, 13, 230.
Bhiwani	Loharu	Jhanjan Sheoran	7.62	55, 56, 57, 58, 59, 171/53, 145/46, 47, 43, 45, 44, 126/6, 4, 5,
		Total ..	16.11	139/7, 147/9, 8, 156, 176/48, 171/53.

No. M-42A/LA-IV/T-64/2507.—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by Government, at public expense, for a public purpose, namely, Constructing Gignow-Brahlu Road in Bhiwani District (R. D. 0 to R. D. 7300), it is hereby notified that land in the locality described below is likely to be required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of land in the locality may within 30 days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Haryana, P.W.D., B.&R. Branch, Ambala Cantt.

#### SPECIFICATION

District	Tehsil	Locality	Area in Acres	Remarks
Bhiwani	Loharu	Gignow	10.03	47/24/1, 24/2, 25, 48/4, 5, 49/1/1, 1/2, 2, 8/1, 8/2, 9, 10, 13, 14, 15, 16, 50/11, 17, 18, 19/1, 19/2, 20, 22, 23, 24/1, 24/2, 25, 65/4, 5, 64/1/1, 1/2, 1/3, 2, 7, 8/1, 8/2, 13, 14, 15/1, 15/2, 16, 63/11, 18, 19/1, 19/2, 20, 22, 23, 24/1, 24/2, 25, 71/5/1, 5/2, 72/1/1, 1/2, 2, 7, 8/1, 8/2, 9, 10, 13, 14, 15/1, 15/2, 16, 25, 73/20, 21, 81/4, 5, 6, 15, 16, 25/1, 25/2, 80/11, 20, 21, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 39, 40, 41, 42, 43, 44, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 314, 315, 316, 317, 318, 319, 320, 321, 322, 324, 325, 290, 291, 292, 293, 294, 295, 281, 282, 283, 284, 285, 286, 287, 151.

No. M-42A/LA-IV/T-63/2512.—Whereas it appears to the Government that the land is likely to be required to be taken by the Government, at public expenses, for a public purpose, namely, Constructing Sharwa Miran Road to village Daryapur in Bhiwani District, it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of land in the locality may within 30 days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Haryana, P.W.D., B. & R. Branch, Ambala Cantt.

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SPECIFICATION

District	Tehsil	Locality	Area in Acres	Remarks
Bhiwani	Bhiwani	Daryapur	8.90	508, 454 to 459, 93, 461 to 466, 468, 469, 470, 485, 487, 488.

No. M-42A/LA-IV/T-62/2517.—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by Government, at public expense, for a public purpose, namely, constructing Pinjokhra to Garanpura approach road in Bhiwani District, it is hereby notified that the land in the locality described below, is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of land in the locality may within 30 days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, P.W.D. (B&R) Branch, Ambala Cantt.

## SPECIFICATION

District	Tehsil	Locality	Area in Acres	Remarks
Bhiwani	Bhiwani	Pinjokhera	6.91	43/7, 8, 9, 10/1, 10/2, 13, 14/1, 14/2, 15, 160, 147, 148, 348, 355, 36, 42/6 to 15, 18, 19, 20, 21, 41/6 to 10, 11/1, 11/2, 12 to 17, 18/1, 18/2, 19, 40/2, 3, 4, 5, 6, 7/1, 7/2, 8, 9, 15
Do	Do	Garanpura	11.15	356, 357, 358, 379, 361, 362, 364, 365, 345, 342, 340, 326, 204 to 220, 222, 223, 426/226, 427/226, 200, 185, 184
Total ..			18.06	

(Sd.) . . .

Superintending Engineer,  
Bhiwani Circle, P.W.D. (B&R) Branch,  
Bhiwani.

The 28th May, 1975

No. 28 HA/63 S/730.—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by Government, at public expenses, for a public purpose, namely, constructing a road Risalfakhera to Banwala.

It is hereby notified that the land in the locality described below is likely to be required for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may within 30 days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Haryrna, P.W.D., B.&R. Branch, Ambala Cant.

### SPECIFICATION

District	Tehsil	Locality	Area in Acres	Details of Khasra Nos.		
Hissar	Dabwalli	Risaliakhera	6.84	177	178	179
				25 16, 17, 18, 24, 1	16 to 25	16 to 25
				180 16 to 25	181 18 to 22	
				281, 282, 284, 297, 298, 303 to 306, 332, 333, 334, 360, 1	362 362 363 to 2	
				369, 372 to 379, 384, 650, 968, 970, 971, to 974, 976, 984, 985, 1006, 1017, 1050, 1051.		
Hissar	Dabwali	Banwala, H. No. 223	9.04	73 18, 23, 24/1, 24/2, 25/1	74 21, 22/1, 22/2, 23 to 25	75 21 to 25
				23, 24, 25/1, 25/2 1 to 3	97 1 to 5	98
				99 1, 2/1, 2/2, 3 to 5	100 25 293, 297, 400, 724, 795.	
			Total ... 15.88			

No. 28HA/639/S/731.—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by Government, at public expense for a public purpose, namely, from Sirsa-Barnala Road to village Nezadella in Hissar District, it is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section the Governor of Haryana is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen, to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

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Any person interested who has any objection to the acquisition of any land in the locality may, within 30 days of the publication of this notification file an objection in writing before the Land Acquisition Collector, Haryana, P.W.D., B&R Branch, Ambala Cantt.

### SPECIFICATION

District	Tehsil	Locality	Area in acres	Detail of Khasra Nos.	
Hissar	Sirsa	Nezadalla No. 154	4.46	84	85
				3, 6, 7, 8, 14, 15/1, 15/2, 16	11, 19, 20/1,
				85	101
				20/2, 21, 22/1, 22/2, 23	11, 19/2, 20/1,
				101	102
				20/2, 21/1, 22/1, 22/1, 22/2, 23	2, 3/1, 3/2,
				102	122
				4, 6, 7/1, 7/2, 8, 14, 15/1, 15/2, 16	2, 3/1,
				122	
				3/2, 4/2, 6, 7/1, 7/2, 8, 14, 15/1, 15/2, 16	
				123	136
				11, 19, 20/1, 20/2, 21, 22/1, 22/2, 23	2, 3/1,
				136	
				3/2, 4, 6, 7/1, 7/2, 8, 14 242, 247 to 252, 306, 308, 309, 316, 318, 645 to 647, 715, 749, 806.	
		Total ..	4.46		

B. K. WADHWA,  
Superintending Engineer,  
Hissar Circle, P.W.D., B.&R. Branch.

### LABOUR AND EMPLOYMENT DEPARTMENT

The 30th April, 1975

No. 4314-5Lab-75/4583.—Whereas in view of the present National Emergency production in Defence Factories has to be considerably stepped up to meet Defence requirements.

Now, therefore, in exercise of the powers conferred by section 5 of the Factories Act, 1948 (Central Act No. LXIII of 1948) and all other powers enabling him in this behalf, the Governor of Haryana is pleased to exempt the Defence Factories, E.M.E. Workshops, Naval Installations and other Factories, concerned with productions relating to Defence requirements or essential supplies in the State of Haryana from the provisions of sections 51, 52, 53, 54, 55, 56 and 79 of the said Act for a period of three months with effect from the 9th December, 1974 or till revocation of emergency, whichever is earlier subject to the following conditions, namely:—

1. The factories engaged in similar process other than which are directly under the control of the Ministry of Defence, desiring to avail of this exemption shall send prior intimation to this effect to the Inspector of the area with a copy to the Chief Inspector of Factories, Haryana.

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2. The workers who may be required to work overtime shall be paid overtime wages at double the rates in accordance with the provisions of the Factories Act, 1948.
  3. A proper record for overtime of the workers shall be maintained as required under rule 85 of the Punjab Factories Rules, 1952.
  4. The workers who may be deprived of the weekly holidays in section 52 of the aforesaid Act may be given compensation holidays in lieu of all such weekly holidays which may not be allowed to them as far as possible.
  5. That under section 79 leave may be refused where necessary. In the exigencies of service except in the case of illness and that provision is made for accumulation of leave without limit so that the workers do not lose the benefit of leave so refused.

The 27th May, 1975

**No. 4926-41-75/16246.**—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the management of M/s Ganesh Commercial Company, 12/6, Gurukul Indrapratha Estate, Mathura Road, Faridabad.

**BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD**

**Reference No. 7 of 1974**

*between*

**THE WORKMAN AND THE MANAGEMENT OF M/S GANESH COMMERCIAL COMPANY  
12/6, GURKUL INDRAPRASHTHA ESTATE, MATHURA ROAD, FARIDABAD**

*Present.—*

Nemo, for the workman.

Shri R. C. Sharma, for the management.

**AWARD**

By order No. ID/FD/73/2231, dated the 24th January, 1974 of the Governor of Haryana, the following dispute between the management of M/s Ganesh Commercial Company, 12/6, Gurukul Indraprastha Estate, Mathura Road, Faridabad, and its workman were referred for adjudication to this Tribunal in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

- (1) Whether the minimum wages of the unskilled workers be fixed? If so, with what details?
- (2) Whether the Uniforms be given to the workman? If so, with what details?
- (3) Whether the workman should be made permanent after completion of six months service and provided with the other facilities? If so, with what details?
- (4) Whether the daily wages system should be abolished and wages paid on monthly basis? If so, with what details?
- (5) Whether the dearness allowance should be given to the workmen and linked with the cost of Living Index Number? If so, with what details?

On receipt of the order of reference, the parties were called upon to put in their respective pleadings. The statement of claim on behalf of the workman concerned was filed on 1st April, 1974 reiterating their demands as earlier raised through the demand notice dated 2nd April, 1973 which part forms of the reference. The management filed the written statement on 14th June, 1974 contesting the demands of the workmen on merits pleading *inter alia* that the Industrial Workers Union (Regd) N.I.T., Faridabad had no locus standi to represent the workmen in the factory and that the demands had not been first raised on the management and rejected by it before taking up the matter for conciliation.

From the pleadings of the parties the following issues arose for determination.

- (1) Whether the demands the subject-matter of the present reference were first raised on the management and rejected by it before taking up the the matter for conciliation? If not, with what effect (on workman)

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- (2) Whether the Faridabad Engineering Workers Union, has *locus standi* to raised the present dispute and the dispute was properly espoused? (on workman)
  - (3) Whether the claim statement is wrong? If so, with what effect? (on management)
  - (4) Whether the minimum wages of the unskilled workers be fixed? If so, with what details?
  - (5) Whether the Uniforms be given to the workman? If so, with what details?
  - (6) Whether the workmen should be made permanent after completion of six months service and provided with the other facilities? If so, with what details?
  - (7) Whether the daily wages system should be abolished and wages paid on monthly basis? If so, with what details?
  - (8) Whether the dearness allowance should be given to the workmen and linked with the Cost of Living Index Number? If so, with what details?

No evidence has been led by the workmen in spite of getting suitable adjournments. They have further elected not to appear and pursue their demands in person or through authorised representative.

Statement of Shri R. C. Sharma, authorised representative of the management has been recorded. He has sworn testimony to the fact that the Industrial Workers Union has no representative character so far as the Ganesh Commercial Company is concerned and that the workers have no disputes with the management. He has further produced two letters Exhibit M-1 and M-2 addressed by the workmen to the above effect.

I have heard the learned representative of the management and given a careful consideration to the facts on record. The burden of issues Nos. 1 and 2 was on the workmen. They have led no evidence, oral or documentary to discharge this burden in spite of getting suitable adjournments. The law is well settled. As observed by the Hon'ble the Supreme Court in the oft quoted judgement in the Sindhu Resettlement Corporation case the demand/demands have first to be raised on the management and rejected by it before taking up the matter for conciliation so as to constitute industrial dispute (s) within the meaning of section 2-K of the Industrial Disputes Act, 1947. This necessary requirement of the law has not been satisfied in the instant case.

Moreover, the dispute being of general nature, the same had to be sponsored by a substantial number of the workmen in the factory or a union having representative capacity. This had also to be established by the workmen but none of them has come forward to make even his own statement on oath what to speak of leading any other cogent and convincing evidence on the point. The fact, therefore, remains that no industrial dispute existed between the parties nor were the the same properly espoused by a union having *locus standi* to represent the workmen in the factory. Issues Nos. 1 and 2 are accordingly decided against the workmen and in favour of the management.

In view of my above findings on issues Nos. 1 and 2, it is not necessary to go into the other issues arising out of the terms of reference otherwise also it is clear from the applications Exhibit M-1 and M-2 made by the workmen that they have no dispute with the management.

On the facts brought on record and for the reasons aforesaid the present reference shall stand rejected as being invalid, and, in the result, the workmen concerned are not entitled to any relief. There, shall, however, be no order as to costs.

O. P. SHARMA,

Dated the 30th April, 1975.

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 766, dated 6th May, 1975.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Presiding Officer,

Dated the 03th April, 1975.

Industrial Tribunal, Haryana,  
Faridabad.